

NB:MPC

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

JORGE SUAREZ,

Defendant.

M 12-710

COMPLAINT AND
AFFIDAVIT IN SUPPORT
OF APPLICATION FOR
ARREST WARRANT

(T. 8, U.S.C.,
§§ 1326(a) and
1326(b)(2))

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EASTERN DISTRICT OF NEW YORK, SS:

DENNIS J. CARROLL, being duly sworn, deposes and states that he is a Deportation Officer with the Department of Homeland Security, Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

On or about July 25, 2012, within the Eastern District of New York and elsewhere, the defendant JORGE SUAREZ being an alien who had previously been arrested and convicted of an aggravated felony, to wit: Sexual Abuse in the First Degree, a class D felony in violation Section 130.65, of the New York State Penal Law, and was thereafter deported from the United States and who had not made a re-application for admission to the United States to which the Secretary of the Department of Homeland Security, successor to the Attorney General, had expressly consented, was found in the United States.

(Title 8, United States Code, Section 1326(b)(1)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I am a Deportation Officer with ICE and have been involved in the investigation of numerous cases involving the illegal re-entry of aliens. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On July 25, 2012, the defendant JORGE SUAREZ was arrested in Suffolk County, New York by the Suffolk County Police Department for Failure to Register as a Sexual Offender, in violation of Section 168-T of the New York State Corrections Law.

3. A records search using the defendant's fingerprints confirmed that he is JORGE SUAREZ, and that he is a citizen of Honduras and not of the United States.

4. A fingerprint comparison of the fingerprints taken in connection with the defendant's arrest on July 25, 2012, confirmed that he is the same individual who was convicted of Sexual Abuse in the First Degree, an aggravated felony offense, on November 15, 2002, and was sentenced to a term of imprisonment

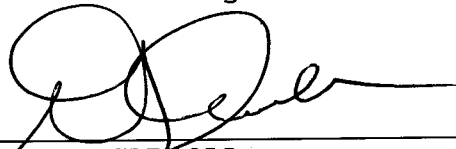
^{1/} Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

of nine months. The fingerprint analysis also confirmed that he is the same individual who was deported by ICE on March 12, 2005.

5. I have also reviewed official immigration records which confirm that on March 12, 2005, the defendant was in fact deported from the United States.


6. A preliminary search of the Department of Homeland Security databases revealed that the defendant JORGE SUAREZ has not applied for permission from the Secretary of the Department of Homeland Security, successor to the Attorney General, to re-enter the United States after deportation.

WHEREFORE, your deponent respectfully requests that the defendant GEORGE SUAREZ be dealt with according to law.



DENNIS J. CARROLL
Deportation Officer
Immigration and Customs Enforcement

Sworn to before me this
31st day of July/ 2012


THE HONORABLE ARLENE R. LINDSAY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK